

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BILLY HIRES,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 07-389-DRH
)	
CRAWFORD COUNTY, ILLINOIS, <i>et al.</i>,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

HERNDON, District Judge:

Plaintiff, an inmate in the Logan Correctional Center, brings this action for deprivations of his constitutional rights pursuant to 42 U.S.C. § 1983. This case is now before the Court for a preliminary review of the complaint pursuant to 28 U.S.C. § 1915A, which provides:

- (a) **Screening.**– The court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.
- (b) **Grounds for Dismissal.**– On review, the court shall identify cognizable claims or dismiss the complaint, or any portion of the complaint, if the complaint–
 - (1) is frivolous, malicious, or fails to state a claim on which relief may be granted; or
 - (2) seeks monetary relief from a defendant who is immune from such relief.

28 U.S.C. § 1915A. An action or claim is frivolous if “it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Upon careful review of the complaint and any supporting exhibits, the Court finds it appropriate to exercise its authority under § 1915A; this action is legally frivolous and thus subject to summary dismissal.

In this action, Plaintiff alleges that he has had “a device” on himself for over 20 years. For

the last several years, he claims that Defendants have been talking to him through this device, thus counseling him to wreck his truck, among other unspecified acts. He also states that Defendants are able to read his thoughts, and that they have threatened to kill him.

In *Neitzke v. Williams*, 490 U.S. 319 (1989), the Court noted that when a district court considers an *in forma pauperis* motion, it has

the unusual power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless. . . . [such as] claims describing fantastic or delusional scenarios, claims with which federal district judges are all too familiar.

Id. at 327-28. Plaintiff's allegations that Defendants are engaging in behavioral control and mind-reading draw just such a "fantastic or delusional scenario."

In summary, Plaintiff's complaint does not survive review under § 1915A. Accordingly, this action is **DISMISSED** with prejudice. Plaintiff is advised that the dismissal of this action will count as one of his three allotted "strikes" under the provisions of 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

DATED: January 7, 2008.

/s/ DavidRHerndon
CHIEF JUDGE
UNITED STATES DISTRICT COURT